

from it is certainly welcomed, certainly by me and I think many on both sides of the aisle.

The Secretary of the Senate and the Clerk of the House are well suited to continue receiving lobby registration forms. These offices can improve the dissemination of this information, making it more user friendly for the public. That is what our alternative aims to do.

As far as the executive branch coverage, an item we are still discussing here as we hope to work this matter out, my view is it is just not necessary. Contacts with the executive branch are highly regulated under the Administrative Procedure Act. Regulations are formulated by a very detailed process that allows interested parties to participate. And Congress always has oversight and legislative power over regulations issued by Agencies. Administrative adjudication is also a formal process.

Moreover, we know from the experience of the health care task force run by the First Lady that efforts by the executive branch to make policy in secret generally backfire anyway. And a legal challenge has resulted in that particular case in all of that information becoming public.

So, Mr. President, from our point of view, we should clean up our own house. Let us get the right coverage of lobbyists who lobby us here in the Congress. Let us get information related to their work properly available and disclosed to the public. Let us not make registration and disclosure so cumbersome that we signal to the American people that their voices are simply not welcome here in Washington. We want their input. We encourage Americans to join organizations that represent their views, and we hope they will let us know what they think.

When James Madison wrote Federalist No. 10, he envisioned a competition of ideas from, as he put it, "factions." Today, we would call those factions lobbyists. We who are elected to represent our constituents are called upon to build consensus among the various factions. Where we are unable to build consensus, we are called upon to choose from among the competing ideas put forward by the lobbyists or, if you will, the factions.

So there is nothing wrong with lobbying. It is not an evil thing. It was envisioned by the Framers. It is part of our Constitution's first amendment which protects free speech and petitioning the Government with grievances.

And finally, while lobbying is an honorable profession, we want to make sure that those who abuse the public trust they hold as lobbyists are punished for their misdeeds. We propose to let the U.S. attorney prosecute those who violate the law. The first offense would be subject to civil sanctions and subsequent offenses would be subject to criminal penalties. We want lobbyists to register; we want their activities

disclosed, but let us not chill protected constitutional rights in the process.

Mr. President, the discussions on this matter are proceeding. And again, let me say we are hoping we can achieve at least close to a consensus on the lobby disclosure bill which we can pass by an overwhelming margin sometime later today or tonight.

Mr. President, I do not see anyone else wishing to address the Senate. Therefore, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GRASSLEY). The clerk will call the roll. The legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MCCAIN). Without objection, it is so ordered.

Mr. LOTT. Mr. President, there are active negotiations underway on language in the lobby reform bill. I think we are making progress and some important changes and agreements have already been reached. There are a few areas where, obviously, there is still some disagreement or some lack of clarity as to what it would do.

Since the principals are here on the floor, it would be helpful, I believe, if we go ahead and recess until a time certain to allow the principals in this legislation to talk directly.

Also, we hope, when we come back in after that recess, we will be able to get an agreement on a specified time, agreed-to time to vote on or in relation to the McCain amendment. It may be other amendments will be ready at that time, but at least we would like to get an agreement to get a vote at 5:45 on the McCain amendment.

#### RECESS

Mr. LOTT. Therefore, Mr. President, I now ask unanimous consent the Senate recess until 1:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senate stands in recess until the hour of 1:30 p.m. today.

Thereupon, at 12:47 p.m., the Senate recessed until 1:30 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. FRIST).

#### LOBBYING DISCLOSURE ACT OF 1995

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The pending business is S. 1060.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, I know this afternoon we will be focusing on the lobbying disclosure reform effort. Senator FEINGOLD and I, of course, are strong supporters of that,

as are Senators LEVIN and COHEN, and others.

I ask unanimous consent that we might have up to 15 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMPREHENSIVE GIFT BAN LEGISLATION

Mr. WELLSTONE. Mr. President, this is a discussion the Senator and I choose to have now, possibly tonight, and then I would imagine through tomorrow as well. We will be involved in I think a major debate about the gift ban reform effort.

I thought that the Senator from Wisconsin and I might talk a little bit about what is at issue here. I will start out for a few moments, and then we will go back and forth. I have some questions which I want to put to the Senator, and I think he has some questions he wants to put to me as well.

Mr. President, just to be crystal clear, there is no question in my mind that people in the country really, as I have said before, yearn for a political process that they can believe in, one that really is accountable, that is open, and that has real integrity.

We have been working on a gift ban. I ask the Senator from Wisconsin how long we have been working on this comprehensive gift ban legislation with Senator LAUTENBERG and Senator LEVIN.

Mr. FEINGOLD. It seems like we have been talking about it for about 2 years. We sort of came to this in different ways. I got here in the Senate, and I just knew that as a State senator from Wisconsin, we had a law that said you cannot even accept a cup of coffee from a lobbyist. I understood that in the 10 years I was in the State senate. I was a little surprised to find out they did otherwise here.

So we put this in effect for myself and my staff, and then I found out independently that the Senator from Minnesota, from another reform-minded State, was working an overall bill that would apply that to all Members of Congress. We obviously crossed paths and thought that would make sense as part of a broader effort to try to get the influence of big private money a little bit more out of Washington. We got other supporters as time went on. That is how it really started.

Mr. WELLSTONE. Mr. President, let me go on to say to my colleague that we have become close friends. We come from a similar part of the country, and we come from reform-minded States.

It is interesting. I became interested in this initiative because shortly after I had been elected, I was on a plane. A guy came up to me, without using any names, by the way. I will not for a moment say there was anything about the conversation that I would call corrupt. But he came up to me and asked me whether I liked athletics. I said, "I love